

## REMARKS

Reconsideration of the above-identified patent application in view of the amendments above and the remarks following is respectfully requested.

Claims 1-23 are in this case. Claims 1-3 and 7-20 have been rejected under § 102(b). Claims 4-6 and 21-23 have been rejected under § 103(a). Dependent claims 2, 3, 11, 12 and 16-20 have been canceled. Independent claims 1, 8 and 15 and dependent claims 21-23 have been amended.

The claims before the Examiner are directed toward an electro-optical detection system, a mobile platform that includes the system and a method of using the system to detect electromagnetic radiation while moving at supersonic speed. The system includes an electronic payload protected by an optical window assembly with an outer and inner window mounted in a housing so as to form an intervening space between the two windows. Of the four window surfaces, only the inner surface of the inner window is coated with an optical coating that is transparent in the visible band and/or in the infrared band but is opaque to radio and radar frequencies.

### § 102(b) Rejections – Fisher ‘612

The Examiner has rejected claims 1-3 and 7-20 under § 102(b) as being anticipated by Fisher, US Patent No. 5,776,612 (henceforth, “Fisher ‘612”). The Examiner’s rejection is respectfully traversed.

Claims 2, 3, 11, 12 and 16-20 have been canceled, thereby rendering moot the Examiner’s rejection of these claims.

Fisher ‘612 teaches a window **28** for protecting a sensor **22** and an optical train **24** of a sensor system **20**. Window **28** includes an outer layer **42** and an inner layer **40** that are transparent to visible or infrared radiation. One or more of the surfaces of

layers **40** and **42** are coated with either a transparent conductive coating or a grid of electrical conductors that blocks microwave radiation. In the embodiment illustrated in Figure 6, layers **40** and **42** are separated by an air gap **70**.

The crucial difference between the teachings of Fisher '612 and the present invention is that every embodiment taught by Fisher '612 has a transparent conductive coating on outer surface **50** of outer layer **42** and/or on the inner surface of outer layer **42** and/or on the outer surface of inner layer **40**. By contrast, the present invention, as illustrated in Figure 2 of the above-identified patent application, has only a single optical coating **38**, on inner surface **28** of inner window **24**, that is transparent to visible and/or infrared radiation but opaque to radio and radar frequencies.

Thus, the present invention is not anticipated by Fisher '612. Furthermore, the present invention is not even obvious from Fisher '612. There is neither a hint nor a suggestion in Fisher '612 that an electro-optical payload could be protected adequately at supersonic speeds by a double window that has an optical coating, that is transparent in the visible or infrared but opaque to radio and radar, only on the inner surface of its inner window. One ordinarily skilled in the art would be led by a study of Fisher '612 to include such an optical coating on at least one of the other three surfaces.

While continuing to traverse the Examiner's rejections, Applicant has, in order to expedite the prosecution, chosen to amend independent claims 1, 8 and 15 in order to clarify and emphasize the crucial distinctions between the present invention and the teachings of Fisher '612r. Specifically, claim 1 has been amended to include the limitations of claims 2 and 3, claim 8 has been amended to include the limitations of claims 11 and 12, and claim 15 has been amended to include the limitations of claims 18-20. In addition, claims 1, 8 and 15 have been amended to include the limitation

that only the inner surface of the inner window is coated with the optical coating. Support for this additional limitation is found in the specification in Figure 2 as described on page 11 lines 7-11. As noted above, only inner surface **28** of inner window **24** is coated with optical coating **38**. Correspondingly, claims 2, 3, 11, 12 and 16-20 have been canceled, and claims 21-23 have been amended to depend directly from claim 15.

With independent claims 1, 8 and 15 allowable in their present form, it follows that claims 7, 9, 10, 13 and 14, that depend therefrom, also are allowable.

#### **§ 103(a) Rejections – Fisher ‘612**

The Examiner has rejected claims 4 and 21 under § 103(a) as being unpatentable over Fisher ‘612. The Examiner’s rejection is respectfully traversed.

It is demonstrated above that independent claims 1 and 15 are allowable in their present form. It follows that claims 4 and 21, that depend therefrom, also are allowable.

#### **§ 103(a) Rejections – Fisher ‘612 in view of Macken ‘953**

The Examiner has rejected claims 5, 6, 22 and 23 under § 103(a) as being unpatentable over Fisher ‘612 in view of Macken, US Patent No. 5,128,953. The Examiner’s rejection is respectfully traversed.

It is demonstrated above that independent claims 1 and 15 are allowable in their present form. It follows that claims 5, 6, 22 and 23, that depend therefrom, also are allowable.

**§ 103(a) Rejections – Fisher ‘612 in view of Uwira et al. ‘333**

The Examiner has rejected claims 5, 6, 22 and 23 under § 103(a) as being unpatentable over Fisher ‘612 in view of Uwira et al., US Patent No. 5,372,333. The Examiner’s rejection is respectfully traversed.

It is demonstrated above that independent claims 1 and 15 are allowable in their present form. It follows that claims 5, 6, 22 and 23, that depend therefrom, also are allowable.

In view of the above amendments and remarks it is respectfully submitted that independent claims 1, 8 and 15, and hence dependent claims 4-7, 9, 10, 13, 14 and 21-23 are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,

  
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